

the Action Plan because they were "not in the study area." (See Attachment F, p.3). Again this is an impermissibly arbitrary limitation on alternatives.

4. The SFEIS Unjustifiably Fails to Consider the Action Plan Alternative

a. The Action Plan and its Benefits

In an effort to contribute to the discussion of potential alternatives to the proposed tollroad, the Commentors retained expert planning and transportation modeling consultants to design and analyze a multi-modal alternative. Commentors retained these experts to develop a alternative based on enhancements to the existing transportation system, including road improvements, transit improvements, and other strategies, because such an alternative was lacking in the original Environmental Impact Statement. The Commentor's purpose has been to provide such an alternative to IDOT and FHWA to ensure a more comprehensive consideration of alternatives.

New Alternatives Inc., a respected transportation and urban planning firm, spent many months analyzing the transportation system in northern Will County, interviewing local residents, and studying local and regional transportation plans. Following that study, New Alternatives, Inc., developed an alternative called the Action Plan which the Illinois University of Illinois Chicago and Resource Systems Group, Inc. are now analyzing with travel demand models.

The Action Plan is attached to these comments. As discussed in the attached comments of New Alternatives President Rick Kuner and Norman L. Marshall, Senior Project Consultant for Resource Systems Group, the Action Plan directly addresses the general local and regional needs identified in the Statement of Purpose and Need. It provides for a massive increase in the capacity of arterial roads and expressways to carry both local and regional travel. It provides for greatly enhanced transit services and other strategies to ease the pressure on local roadways. Its projects are eminently reasonable, drawn from official county, state and, and regional transportation plans. Moreover, unlike the proposed tollway, for which no funding has been identified, Action Plan projects are slated to received over \$450 million in funding over the next 5 years. The Action Plan should be thoroughly analyzed as a viable alternative to the proposed tollroad.

The Action Plan calls for a variety of improvements to the existing transportation system:

- **North-South Roadway Expansions.** The Action Plan provides for two new interstate highway lanes and twelve new arterial roadway lanes on north-south roads in northern Will County. These expansions would increase the capacity of those roads by 12,000 vehicles per hour or about 58% more than currently exists.
- **East-West Roadway Expansions.** The Action Plan provides for two new interstate highway lanes and twelve new arterial roadway lanes to east-west roads that cross the

9

Commentors requested that IDOT meet with them and hold a public meeting before deciding on a final set of alternatives, and IDOT indicated it would so Id., p. 3. In May, 2000 the Commentors learned that IDOT had selected and analyzed only single mode alternatives, and had done so without the promised public input.

On July 26, 2000, a full five months before publication of the draft SFEIS, the Commentors sent IDOT a letter detailing the principal transportation projects in the Action Plan and formally requesting that IDOT consider the Action Plan as one of its own alternatives for the SFEIS. On November 30, 2000, the Commentors sent IDOT another letter providing further details about the Action Plan. Nonetheless, the SFEIS not only fails to include the Action Plan or a similar alternative, but moreover fails even to acknowledge that such a proposal was made. There is no explanation whatsoever in the SFEIS as to why such a plausible alternative was not even considered.

The failure of the SFEIS to consider the Action Plan or a similar alternative is unjustifiable. The Action Plan demonstrably addresses the principal needs identified in the Statement of Purpose and Need. The Action Plan aides north-south trips to regional job centers; it improves regional mobility; and it does a vastly better job than the proposed tollroad of addressing local transportation system deficiencies and improving local trips in all directions.

The Action Plan responds directly to the deficiencies in the local roadway network identified in the SFEIS. In particular, the SFEIS finds that:

- (1) the most direct north-south routes are congested because they consist of one-lane in each direction (SFEIS at 1-14 to 1-15);
- (2) the number of bridge crossings over the Des Plaines River is inadequate (SFEIS at 1-15)
- (3) mobility is constrained in the Project corridor because the largest roads are two-lane arterials designed to serve rural areas (SFEIS at 1-15); and
- (4) the "roadway network in the Project corridor was constructed more than 50 years ago when the area was rural." (SFEIS at 1-16.)

Each of these local system deficiencies can reasonably be addressed by improving the local roadway network, as the Action Plan does, through measures such as road widening and intersection improvements. Moreover, IDOT's conclusion that the volume of local trips within the Project corridor will continue to increase establishes a clear need to improve the local roadway network. (SFEIS at 1-16.)

IDOT deemed the "transit only" alternative worthy of analysis and consideration even though it does not provide a fraction of the travel capacity and benefits of the Action Plan. Similarly IDOT considered the "Enhanced Arterials" alternative worthy of consideration and analysis even though it is only a small subset of the Action Plan. Moreover, IDOT considered the tollroad alternative worthy of consideration even though it is the least feasible of all the alternatives, because there is no funding source even remotely identified for a tollway extension. It is utterly arbitrary, then, for IDOT to refuse consideration of an alternative as comprehensive, beneficial, and feasible as the Action Plan.

11

project corridor. These improvements would increase the capacity of these roads by 12,000 vehicles per hour, or about 54% more than currently exists.

- **New Des Plaines River Bridge.** The Action Plan calls for a new four-lane bridge across the Des Plaines River at Bruce Road near Lockport. The new bridge would accommodate an additional 3,000 cars per hour and would help commuters to move west of the river and then north into DuPage County job centers.
- **Other Roadway Improvements.** The Action Plan calls for a variety of other improvements that in combination would add substantial additional capacity to arterial roadways, including left turn lanes, improved signals and intersections, and other Access Management and Transportation Management measures.
- **Improved Transit Service.** The Action Plan includes major service improvements in an extension of the Metra Southwest lines, as well as a new station and other improvements to other Metra service in the project area. The Action Plan also calls for enhanced Pace bus service, especially express buses.
- **Enhance Bicycle and Pedestrian Facilities.** The Action Plan calls for improving bicycle and pedestrian opportunities in the project area in order to reduce pressure on local roadways.

The Action Plan would have enormous benefits that directly address the needs identifies in the SFEIS. (See Attachment A and Comments of Rick Kuner and Norman L. Marshall). The Action Plan improve north-south travel to job centers in DuPage County and other destinations by improving numerous north-south arterials and making it easier for commuters to access north-south routes west of the Des Plaines River, as well in the immediate project corridor. The Action Plan would also provide vastly greater benefits for local travel then the tollroad alternative because it would improve numerous east-west roads as well as north-south roads, thereby aiding local trips in all directions throughout northern Will County.

The Action Plan is eminently reasonable and feasible. Its projects are drawn from official local regional and state transportation plans, including the Will County Transportation Framework Plan, the 2020 Regional Transportation Plan, the Northeastern Illinois Transportation Improvement Program, and IDOT's Highway Improvement Program. Moreover, substantial funding has already been earmarked for action plan projects in the FY 2001-2006 Transportation Improvement Program of the Chicago area Transportation Study, and IDOT's 2001-2005 Highway Improvement Program. Those plans identify over \$450 million in action plan projects as priorities for funding over the next 5 years, as detailed in Attachment E. Major federal funding has already been committed for the Metra improvements, and numerous roadway projects have already had contracts awarded.

b. The SFEIS Arbitrarily Fails to Acknowledge the Action Plan.

At an April 1999 meeting IDOT officials assured the Commentors that IDOT would include at least one broad, multi-modal alternative. See Attachment B, Minutes, p. 2. The

10

In a December 22, 2000 letter to the Commentors (see Attachment F), IDOT suggested reasons for refusing to consider certain aspects of the Action Plan. For example, IDOT suggested that some of the roadway projects and strategies (new turn lanes and signals) did not provide significant enough capacity benefits on their own, and other specific projects within the Action Plan were located outside of the narrowly-defined project corridor. These explanations are spurious. As New Alternatives President Rick Kuner explains in his comments, individual initiatives that provide only modest benefits on their own may, when combined in a network, collectively provide major travel benefits. (Kuner Comments, p.16). There is no reason why IDOT cannot consider a combination of smaller projects rather than a single major project, as long as the combination of those smaller projects would address the Purpose and Need. Likewise, if a project located outside of the immediate project corridor would help to satisfy Purpose and Need, then exclusion of that project is arbitrary. The failure to "rigorously explore and objectively evaluate" the Action Plan thus violates NEPA's mandates.

III. THE METHODS USED IN THE SFEIS TO COMPARE ALTERNATIVES ARE INADEQUATE.

The SFEIS does an inadequate job of comparing alternatives and measuring how well they meet the Purpose and Need. Once again, both the performance measures and the way they are applied appears biased in favor of the proposed tollroad.

A. The Analysis of Access to Regional Job Centers.

The comparative analysis of alternatives in Section 3.4.1 is problematic in two respects. First, travel times were measured from only a single point, and that point is not representative of a typical trip from the project corridor. Travel times were measured from a point at the intersection of I-80 and the proposed tollroad. Trips starting from that point would travel the entire length of the tollroad and therefore derive maximum benefit from the road. Trips starting further north in the corridor would derive less travel time benefit from the tollroad, but no such trips were measured. Second, no trip actually starts right at a highway interchange. There are very few residents directly in the tollroad corridor. Most residents would have to travel some distance east or west on local roads to get to the tollway, often through congested traffic caused by the tollway itself. For example, the SFEIS estimates that traffic levels on 127th Street near Lemont, leading to and from the proposed tollroad interchange, would increase dramatically if a tollroad were constructed. An objective measure of travel time benefits would sample representative trips from throughout the corridor and present average time savings (or losses), undoubtedly resulting in a less rosy picture of the proposed tollroad than the one painted in the SFEIS.

A second problem with the travel time analysis in Section 3.4.1 is that results are presented in percentages of time savings on a given trip. Such a measure is meaningless to a reader. In order to understand the significance of any time savings, readers should be informed of the

12